

**CITY OF LEOMINSTER**

**CITY COUNCIL**

**NOVEMBER 26, 2007**

**HEARING BEFORE THE CITY COUNCIL, 6:30 P.M.**

C-33            Relative to determining the factor to be used in setting the Fiscal Year 2008 tax rate.

**HEARING BEFORE THE CITY COUNCIL, 6:55 P.M.**

Relative to amending Chapter 13, Section 13-7 of the Revised Ordinances entitled "One-way Streets" by inserting Wilder Avenue, from Central Street in an easterly direction only. (Legal Affairs -Petition #24-08)

**HEARING BEFORE THE CITY COUNCIL, 7:00 P.M.**

29-08            Patrick J. McCarty P.E., McCarty Engineering, Inc. for 155 Hamilton Street Realty Trust: Grant a Special Permit for excavation of property at 70-90 Lanides Lane located within the floodplain and shown on Assessor's Map 229 as Lot 1 for the purpose of creating compensatory flood storage volume for the benefit of land located at 156 Hamilton Street. (Legal Affairs)

**HEARING BEFORE THE CITY COUNCIL, 7:15 P.M.**

30-08            Patrick J. McCarty P.E., McCarty Engineering, Inc. for 155 Hamilton Street Realty Trust: Grant a Special Permit for excavation of property at 162 Hamilton Street located within the floodplain and shown on Assessor's Map 238, as Lot 1-1 for the purpose of creating compensatory flood storage volume for the benefit of land located at 156 Hamilton Street. (Legal Affairs)

**HEARING BEFORE THE CITY COUNCIL, 7:30 P.M.**

31-08            Patrick J. McCarty P.E., McCarty Engineering, Inc. for 155 Hamilton Street Realty Trust: Grant a Special Permit to construct a 6,000 square foot office and professional building with associated site improvements at 156 Hamilton Street shown on Assessor's Map 238 as Lot 1-2 located within the floodplain. (Legal Affairs)

**PUBLIC FORUM, 7:45 P.M.**

**REGULAR MEETING OF THE CITY COUNCIL, 8:00 P.M.**

**ROLL CALL**

**APPROVAL OF RECORDS**

**COMMUNICATIONS**

- C-61      Relative to the appropriation of \$45,000.00 to the Municipal Buildings Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-62      Relative to the appropriation of \$627,000.00 to the School Transportation Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-63      Relative to the appropriation of \$262,000.00 to the School Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-64      Relative to the appropriation of \$1,500.00 to the Highway Expense Account; same to be transferred from the Emergency Reserve Account. (Finance)
- C-65      Relative to the appropriation of \$1,800.00 to the Planning Department Expense Account; same to be transferred from the Emergency Reserve Account. (Finance)
- C-66      Relative to the appropriation of \$50,000.00 to the Unemployment Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-67      Relative to the appropriation of \$6,000.00 to the Emergency Management Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-68      Relative to the appropriation of \$50,000.00 to the Veteran's Services Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)

## **APPOINTMENTS**

Election Officers - Joseph Godin, Gail Duplease, Philena G. Richards, Carole L. Borja, and Julia M. Bessey.

## **MATTERS BEFORE THE CITY COUNCIL**

### **FINANCE**

- C-33      Relative to determining the factor to be used in setting the Fiscal Year 2008 tax rate.
- C-49      Relative to the appropriation of \$2,000.00 to the Sanitation and Drainage Account; same to be transferred from the Excess and Deficiency Account.
- C-50      Relative to the appropriation of \$8,500.00 to the Doyle Field Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-51      Relative to the appropriation of \$2,250.00 to the Highway Regular Labor Account; same to be transferred from the Excess and Deficiency Account.
- C-52      Relative to the appropriation of \$15,000.00 to the Weights and Measures Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-53      Relative to the appropriation of \$54,526.00 to the FY 2008 Worker's Compensation Trust Fund Account; same to be transferred from the FY 2006 Worker's Compensation Trust Fund Account.
- C-54      Relative to the appropriation of \$2,900.00 to the Personnel Department Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-55      Relative to the appropriation of \$135,000.00 to the OPEB Contribution Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-56      Relative to the appropriation of \$90,000.00 to the OPEB Contribution Expense Account; same to be raised by Fiscal Year 2008 Revenue.
- C-57      Relative to the appropriation of \$1,500.00 to the Mayor's Office Expense Account; same to be transferred from the Excess and Deficiency Account.

## MATTERS BEFORE THE CITY COUNCIL, continued

### FINANCE, continued

- C-58      Relative to the appropriation of \$40,000.00 to the Highway Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-59      Relative to the reduction of \$100,000.00 to the FY 2008 Water Department Budget from the budget accounts listed below:
- |   |              |
|---|--------------|
| Water Resource Assessment Expenses      | \$ 20,000.00 |
| Water Department Capital Outlay Expense | 65,000.00    |
| Water Department Expenses               | 15,000.00    |

### LEGAL AFFAIRS

- 27-08      John M. Dombrowski, James Lanciani. Jr., Virginia A. Tocci, Robert Salvatelli, Richard Marchand, David Rowlands, and Wayne Nickel: Amend Section 22-4 of the Leominster Zoning Ordinance to add the following definition. "Athletic Training Facility: An indoor and/or outdoor facility for training, practicing, competition, demonstrations, and games by individuals and/or teams involved in athletics, cheerleading and any accessory uses related thereto "Also amend Section 22-26 (Table of Uses) as follows:
- | Uses                       | RRA | RAA | RB | RC | BA | BB   | C    | I    |
|----------------------------|-----|-----|----|----|----|------|------|------|
| Athletic Training Facility | N   | N   | N  | N  | N  | SPPB | SPPB | SPPB |
- 29-08      Patrick J. McCarty P.E., McCarty Engineering, Inc. for 155 Hamilton Street Realty Trust: Grant a Special Permit for excavation of property at 70-90 Lanides Lane located within the floodplain and shown on Assessor's Map 229 as Lot 1 for the purpose of creating compensatory flood storage volume for the benefit of land located at 156 Hamilton Street.
- 30-08      Patrick J. McCarty P.E., McCarty Engineering, Inc. for 155 Hamilton Street Realty Trust: Grant a Special Permit for excavation of property at 162 Hamilton Street located within the floodplain and shown on Assessor's Map 238, as Lot 1-1 for the purpose of creating compensatory flood storage volume for the benefit of land located at 156 Hamilton Street.

## **MATTERS BEFORE THE CITY COUNCIL, continued**

### **LEGAL AFFAIRS, continued**

- 31-08 Patrick J. McCarty P.E., McCarty Engineering, Inc. for 155 Hamilton Street Realty Trust: Grant a Special Permit to construct a 6,000 square foot office and professional building with associated site improvements at 156 Hamilton Street shown on Assessor's Map 238 as Lot 1-2 located within the floodplain.
- 40-08 Peter Kinsley, Schirmer Engineering Corp. for Leominster Properties, LLC: Request a license for the keeping, storing and sale of inflammable liquids at 250 New Lancaster Road. (Hearing scheduled December 10, 2007 at 7:15 P.M.)
- 41-08 Frank Montolio: Amend Chapter 21, Sections 13 (b) and 13 (h) of the Revised Ordinances entitles "Regulations For Water Use" to eliminate the responsibility for those who use City water to own, maintain, repair or replace, and pay for the cost of the service pipe, stopcock valve and any other fixtures that do not lie within the premises of the person using the water.
- 42-08 Claire Freda: Designate two handicap parking spaces on Lancaster Street in front of St. Anna Rectory at pole #28 and St. Anna School at pole #29.

### **PUBLIC SAFETY & CITY PROPERTY**

- 43-08 Richard M. Marchand: Close off and secure Park Street to the West Street intersection and from lower West Street to School Street to accommodate the 15<sup>th</sup> Annual Johnny Appleseed Arts and Cultural Festival on Saturday, September 13, 2008, from 6:00 A.M. to 7:00 P.M. (Rain date September 20, 2008) and allow the use of the City Hall Parking lot and Monument Square Park.

### **CITY PROPERTY**

- 38-08 Leominster Properties, LLC: Accept a parcel of land located at the southerly end of Lancaster Street, shown on a plan entitled "Plan of Land in Leominster, MA, prepared for Leominster Properties LLC", as Lot 2 for a municipal sewage pumping station.
- 44-08 Richard M. Marchand: Allow the use of the John Tata Auditorium on Saturday, September 13, 2008 from 6:30 P.M. to 10:30 P.M. to host the 2<sup>nd</sup> annual Johnny Appleseed Arts & Cultural Festival Musical Celebration.

## **MATTERS BEFORE THE CITY COUNCIL. continued**

### **WAYS & MEANS**

C-60           Relative to the appropriation of \$39,500.00 to the C.D.B.G. Housing Rehabilitation Construction Expense Account; same to be transferred from the following:

Administration Expense	\$9,500.00
Code Enforcement Expense	8,000.00
Economic Development Expense	15,000.00
Housing Rehabilitation Salary & Wages	7,000.00

34-08           John M. Dombrowski et al.: Request that the City Council require as a condition to any amounts appropriated by the City Council, an "Appropriation Expenditure Summary" form be completed by the appropriate City Department Head and submitted to the City Council.

39-08           Stephen J. Mullaney: Adopt comprehensive, reasonably definite and carefully drafted rules of procedure for the proper sequence and methods of interaction by petitioners to the City Council with members of the City Council, with other City officials and with interested parties, effective prior to and during the processing of petitions to the City Council of any kind, so that petitioners may know in advance what is or may be required of them.

### **APPOINTMENTS**

Leominster Police Department –Police Officer, Lateral Transfer –  
Michael Hoag-Wing

Leominster Police Department - Sergeant - Andrew J. Dupuis

Leominster Police Department - Lieutenant - Michael D. Goldman

Emergency Management – Carmelo Sanabria and Robert J. Ellis

**MATTERS BEFORE THE CITY COUNCIL. continued****OLD BUSINESS**

President's Drinking Water Oversight Committee

2<sup>nd</sup> Reading Ordinance – Amend Chapter 13, Section 13-7 of the Revised Ordinances entitled “One-way Streets” by inserting Wilder Avenue, from Central Street in an easterly direction only.

**NEW BUSINESS**

Lynn A. Bouchard  
City Clerk  
November 21, 2007

11/26/07